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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,491	03/26/2004	Yoshikazu Okada	20154/0201085-US0	8127
7278	7590	07/01/2005	EXAMINER	
DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257			JENKINS, DANIEL J	
			ART UNIT	PAPER NUMBER
			1742	
DATE MAILED: 07/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/810,491

Applicant(s)

OKADA ET AL.

Examiner

Daniel J. Jenkins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/19/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. The Examiner has carefully considered Applicant's Response of 4/8/05. The Examiner does not find Applicant's Remarks and Amendment overcome the prior rejection. In particular, the Examiner finds that the breadth of Applicant's Amendment as determined as broadly as possible in light of the Specification, allows for the inherent change in temperature across the body allowing for the body to form at a rate that meets "desired" and "predetermined" direction.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1 and 3-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Tokuhara et al.

Tokuhara et al. disclose a method of forming a sintered compact comprising:

filling a die with a powder (col. 6, lines 26-64);

compacting said powder with an upper die to form a green compact (col. 7, lines 7-30);

conveying said green compact to a sintering plate (col. 7, lines 31-49); and

placing the sintering plate in a sintering furnace and sintering the green compacts to form a sintered compact (col. 7, line 63 to col. 8, line 18).

Tokuhara et al. disclose that the green compacts are arranged in an array formation on the sintering plate, allowing for the sintering to be performed in a directional manner i.e.

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sintering of the vertical sides of the green compacts would take place at an inherently different rate than the bottom of the green compacts.

The Examiner finds that the breadth of the limitations to "desired" and "predetermined", as determined as broadly as possible in light of the Specification, allows for the inherent change in temperature across the body allowing for the body to form at a rate that meets "desired" and "predetermined" direction.

The Examiner finds that the language to "the throwaway tip" does not provide for a limitation to the method steps, such language being directed at the use of the sintered compact.

4. Claims 10-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Tokuhara et al.

Tokuhara et al. disclose an apparatus for forming a sintered compact comprising:

- a sintering plate (60);
- a mechanism for placing a plurality of green bodies on the sintering plate (20);
- a holder (64) for the sintering plate; and
- a conveying mechanism for transporting the sintering plate to the sintering plate holder (52).

Tokuhara et al. disclose that the green compacts are arranged in an array formation on the sintering plate, allowing for the sintering to be performed in a directional manner i.e. sintering of the vertical sides of the green compacts would take place at an inherently different rate than the bottom of the green compacts.

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The Examiner finds that the language to "the throwaway tip" does not provide for a limitation to the method steps, such language being directed at the use of the sintered compact.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Jenkins whose telephone number is 571-272-1242. The examiner can normally be reached on M-TH6:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on 571-272-1242. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Daniel J. Jenkins
Primary Examiner
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